

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference P799 PC00	FOR FURTHER ACTION see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/DK2004/000529	International filing date (day/month/year) 06/08/2004	(Earliest) Priority Date (day/month/year) 06/08/2003
Applicant GASTROTECH PHARMA A/S		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 06 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the language, the international search was carried out on the basis of the International application in the language in which it was filed, unless otherwise indicated under this item.

☐ The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. ☒ With regard to any nucleotide and/or amino acid sequence disclosed in the International application, see Box No. I.

2. ☒ Certain claims were found unsearchable (See Box II).

3. ☐ Unity of invention is lacking (see Box III).

4. With regard to the title,

☐ the text is approved as submitted by the applicant.

☒ the text has been established by this Authority to read as follows:

USE OF SECRETAGOGUES LIKE GHRELIN IN CANCER CACHEXIA AND FOR STIMULATING APPETITE

5. With regard to the abstract,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regards to the drawings,

- a. the figure of the drawings to be published with the abstract is Figure No. _____

☐ as suggested by the applicant.

☐ as selected by this Authority, because the applicant failed to suggest a figure.

☐ as selected by this Authority, because this figure better characterizes the invention.

- b. ☒ none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/DK2004/000529

Box No. I Nucleotide and/or amino acid sequence(s) (Continuation of item 1.b of the first sheet)

1. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, the international search was carried out on the basis of:
 - a. type of material
 - ☒ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material
 - ☒ in written format
 - ☒ in computer readable form
 - c. time of filing/furnishing
 - ☒ contained in the international application as filed
 - ☒ filed together with the international application in computer readable form
 - ☒ furnished subsequently to this Authority for the purpose of search
2. ☒ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
3. Additional comments:

INTERNATIONAL SEARCH REPORT

International Application No
PCT/DK2004/000529

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61K38/25 C07K14/60 G01N33/74 A61P1/14

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, BIOSIS, WPI Data, PAJ, EMBASE, CHEM ABS Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 01/92292 A (BEDNAREK MARIA ; MERCK & CO INC (US)) 6 December 2001 (2001-12-06) page 5, line 30 - page 6, line 6 page 15, lines 13-34	1-73, 77-82
X	EP 1 186 293 A (PFIZER PROD INC) 13 March 2002 (2002-03-13) paragraphs '0054!', '0063!	1, 15-20, 26, 27, 32
X	WO 01/56592 A (NOVO NORDISK AS) 9 August 2001 (2001-08-09) page 7, lines 16-22; claims 7, 13 page 3, lines 22-30; claim 16	38-73, 77-82
Y		1-37
	-/--	



Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance: the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance: the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *Z* document member of the same patent family

Date of the actual completion of the international search

16 December 2004

Date of mailing of the international search report

13/01/2005

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Durrenberger, A

INTERNATIONAL SEARCH REPORT

International Application No
PCT/DK2004/000529

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	<p>WREN A M ET AL: "GHRELIN ENHANCES APPETITE AND INCREASES FOOD INTAKE IN HUMANS"</p> <p>JOURNAL OF CLINICAL ENDOCRINOLOGY AND METABOLISM, NEW YORK, NY, US, vol. 86, no. 12, December 2001 (2001-12), pages 5992-5995, XP001156529</p> <p>ISSN: 0021-972X</p> <p>cited in the application</p> <p>page 5992, right-hand column</p> <p>page 5994, right-hand column, paragraph 2 - page 5995</p>	48-73, 77-82
X	<p>NAGAYA NORITOSHI ET AL: "Ghrelin improves left ventricular dysfunction and cardiac cachexia in heart failure."</p> <p>CURRENT OPINION IN PHARMACOLOGY, vol. 3, no. 2, April 2003 (2003-04), pages 146-151, XP002311021</p> <p>ISSN: 1471-4892</p> <p>page 146, right-hand column, paragraphs 2,3</p> <p>page 147, right-hand column, paragraph 2</p> <p>page 149, left-hand column, paragraph 2</p>	38-73, 77-82
Y		1-37
X	<p>US 5 798 337 A (MCDOWELL ROBERT S ET AL)</p> <p>25 August 1998 (1998-08-25)</p> <p>column 30, lines 44,45</p> <p>column 31, lines 62-67</p>	1,15-20, 26,27,32
X	<p>VAN DEN BERGHE GREET: "Growth hormone secretagogues in critical illness"</p> <p>HORMONE RESEARCH (BASEL), vol. 51, no. Suppl. 3, November 1999 (1999-11), pages 21-28, XP009041731</p> <p>& THE TENTH HGH SYMPOSIUM; SEVILLE, SPAIN; APRIL 23-24, 1999</p> <p>ISSN: 0301-0163</p> <p>page 24, right-hand column</p>	74

INTERNATIONAL SEARCH REPORT

International application No.
PCT/DK2004/000529

Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

Although claims 33-37, 75, 76 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/DK2004/000529

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 0192292	A	06-12-2001	CA 2411667 A1 EP 1353683 A2 JP 2004514651 T WO 0192292 A2	06-12-2001 22-10-2003 20-05-2004 06-12-2001
EP 1186293	A	13-03-2002	AU 6552201 A CA 2356058 A1 EP 1186293 A2 HU 0103494 A2 JP 2002332245 A NZ 513852 A US 2002094992 A1 ZA 200107102 A	07-03-2002 28-02-2002 13-03-2002 29-06-2002 22-11-2002 28-09-2001 18-07-2002 28-02-2003
WO 0156592	A	09-08-2001	AU 2832501 A WO 0156592 A1 US 2004063636 A1 US 2001020012 A1	14-08-2001 09-08-2001 01-04-2004 06-09-2001
US 5798337	A	25-08-1998	AT 194626 T AU 698676 B2 AU 4164496 A CA 2203375 A1 DE 69518000 D1 DE 69518000 T2 DK 792289 T3 EP 0792289 A1 EP 0999220 A2 ES 2150018 T3 GR 3034348 T3 IL 115994 A JP 10509152 T PT 792289 T US 6034216 A WO 9615148 A2 US 2003139348 A1 ZA 9509757 A	15-07-2000 05-11-1998 06-06-1996 23-05-1996 17-08-2000 07-12-2000 30-10-2000 03-09-1997 10-05-2000 16-11-2000 29-12-2000 28-09-2000 08-09-1998 31-01-2001 07-03-2000 23-05-1996 24-07-2003 16-05-1997